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Attorneys for Plaintiff

Attorneys for GOOGLE LLC

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

VIRAL DRM LLC,

CASE NO.: 3:23-cv-04300-JSC

Plaintiffs,

V.

**YOUTUBE UPLOADERS LISTED ON
SCHEDULE A,**

**STIPULATION AND [PROPOSED]
ORDER MODIFYING TEMPORARY
RESTRAINING ORDER AND ORDER
RESTRANING TRANSFER OF
ASSETS**

Defendants.

WHEREAS this Court issued its Order Granting Plaintiff's Application for Entry of Temporary Restraining Order and Order Restraining Transfer of Assets filed at ECF 20 in this matter on August 29, 2023 ("TRO"); and

WHEREAS a portion of the TRO beginning at page 5, line 22 through page 7, line 17 is directed to Google LLC and its YouTube business and requires Google to take certain actions concerning the accounts of the defendants listed on Schedule A to the Complaint; and

WHEREAS plaintiff Viral DRM, LLC, and Google, through their respective counsel, met and conferred concerning the TRO and agreed to seek modification of the

1 TRO in order to address concerns raised by Google regarding notice, enforceability and
2 compliance, and plaintiff agreed to the modifications requested by Google.

3 **NOW THEREFORE**, the plaintiff and Google LLC agree that the “Temporary
4 Restraining Order” portion of the TRO should be modified by this Court—and if the
5 Court agrees it may proceed to “so order” this Stipulation—as follows:

6 **TEMPORARY RESTRAINING ORDER**

7 Each defendant, their agents, officers, directors, employees, agents, subsidiaries,
8 distributors, and all persons in active concert or participation with any defendant having
9 notice of this Order are hereby restrained and enjoined until further Order of this Court:
10 from downloading, uploading, copying, displaying, distributing or creating derivative
11 works of plaintiff’s copyrighted works or any other of plaintiff’s copyrighted video
12 content; and

13 Each defendant, their agents, officers, directors, employees, subsidiaries,
14 distributors, and all persons in active concert or participation with any defendant having
15 notice of this Order shall immediately discontinue, until further Order of this Court, all
16 uses of plaintiff’s copyrighted works, on or in connection with all YouTube channels
17 and other video broadcasting channels owned and operated, or controlled by them,
18 including the YouTube channels defendants operate.

19 Each defendant, their officers, directors, employees, agents, subsidiaries,
20 distributors, and all persons in active concert or participation with any defendant having
21 notice of this Order shall immediately discontinue, until further Order of this Court, the
22 use of plaintiff’s copyrighted works, on any YouTube channel, Facebook page, or any
23 other webpage registered, owned, or operated by any defendant, including the
24 defendants’ YouTube channels.

25 Each defendant shall not transfer ownership or control of their YouTube
26 channels and Google AdSense accounts during the pendency of this action, or until
27 further order of the Court.

1 Each defendant shall continue to preserve copies of all computer files relating to
2 the defendants' YouTube channels and shall take all steps necessary to retrieve
3 computer files relating to their YouTube channels that may have been deleted before the
4 entry of this Order.

5 By no later than 12 pm PST on September 6, 2023, Google LLC shall, without
6 advance notice to the defendants prior to compliance herewith, secure the AdSense
7 accounts (the "Accounts"), if any, associated with the following YouTube channels:
8 @climatechange_-, @Wahrheit, @ashrafs, @worldisdangerous-WID,
9 @naweather4500, @climatechange, and @ExtremeWeatherEvents (the "Channels"),
10 and thereby prevent the disbursement, transfer or withdrawal of any funds currently in or
11 subsequently deposited to those AdSense accounts, pending further order of the
12 Court. Google LLC shall, upon securing the Accounts as required herein, promptly
13 notify Plaintiff's counsel that it has done so. Google LLC shall also identify all financial
14 accounts it has knowledge of that the defendants use to transfer funds out of their
15 AdSense accounts.

16 No funds restrained by this Order shall be transferred or surrendered by Google
17 LLC without the express authorization of this Court.

18 No defendant whose funds are restrained by this Order may transfer said funds in
19 possession of Google LLC without the express authorization of this Court.

20 Any defendant or financial institution account holder subject to this Order may
21 petition the Court to modify the asset restraint set out in this Order.

22 This Order shall apply to the defendants, the defendants' YouTube channels, and
23 any other YouTube channels, websites, or financial accounts which are being used by
24 defendants for the purpose of pirating the plaintiff's copyrighted works.

25 This Order shall remain in effect until the date for the hearing on the Motion for
26 Preliminary Injunction set forth below, or until such further dates as set by the Court or
27 stipulated by the parties.

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1 DATED: September 1, 2023
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3 /s/ Joel B. Rothman
4 JOEL B. ROTHMAN
5 MATTHEW L. ROLLIN
6 **SRIPLAW**
7 Attorneys for Plaintiff

8 /s/ David H. Kramer
9 DAVID KRAMER
10 **WILSON SONSINI GOODRICH &**
11 **ROSATI, P.C.**
12 Attorneys for Google LLC

13 **ATTORNEY ATTESTATION**

14 I hereby attest, pursuant to Local Rule 5-1(h)(3), that I obtained the concurrence
15 in the filing of this document from the signatories indicated by the conformed signature
16 (/s/) of Joel B. Rothman.

17 /s/ David H. Kramer

18 **SO ORDERED** in San Francisco, California, this 5th day of Sept., 2023.
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21 Hon. Jacqueline Scott Corley
22 UNITED STATES DISTRICT JUDGE
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